

**TITLE:** BNSF Schmidt Creek Tributary Box Culvert- Design Only **DATE:** 12/27/2017

**PROJECT:** Construction Package No. 1 **CONTRACT NO:** HSR 13-06

**CONTRACTOR:** Attn: Ghassan Ariqat  
 Tutor Perini/Zachry/Parsons, a Joint Venture  
 1401 Fulton Street  
 Suite 400  
 Fresno, CA 93721

**DESCRIPTION OF CHANGE:**

This change provides additional compensation for all design services and Third Party coordination necessary to redesign the Schmidt Creek Tributary Box Culvert across High-Speed Train right-of-way as a three-cell structure in lieu of a single-cell structure due to Authority direction to shift the HST alignment closer to adjacent freight rail as required by Directive Letter 00137R1. This change does not include any construction costs.

**EXTRA WORK AT AGREED LUMP SUM:**

For this work, the Contractor shall be paid the agreed lump sum of **\$18,382.00**. This lump sum constitutes full and complete compensation for providing all design services, including all markups by reason of this change.

By execution of this Change Order, the Contractor agrees that no additional compensation shall be paid for the redesign of the box culvert at Schmidt Creek unless otherwise directed.

**TIME ADJUSTMENT:**

Any delay due to this change order, if any and if determined to be a controlling operation, shall be evaluated under a separate change order in accordance with Section 23.4, "Equitable Adjustments – Limitation on Delay and Disruption Damages," of the *General Provisions*.

PCO	Payment Item	Description	Quantity	Unit	Unit Price	Net Amount	Time Adj. Days
444R1	00001	BNSF Schmidt Creek Tributary Box Culvert- Design	1.0	LS	\$18,382.00	\$18,382.00	0

**Total: \$18,382.00 0**

Contractor	California High-Speed Rail Authority		
Accepted by	Submitted by	Recommended by	Approved by
			

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**Release of Claims**

Except as modified by this Change Order, all terms and conditions of the Contract, as previously modified, remain unchanged and in full force and effect. The parties agree that this Change Order is a final and equitable adjustment of the Contract time and Contract amount and constitutes a mutual accord and satisfaction of all claims, current or future, of whatever nature caused by or arising out of the facts and circumstances surrounding this Change Order including, but not limited to, direct, indirect and consequential costs; additional time for performance; and the impact of the modifications specified in this Change Order, alone or taken with other changes, on the unchanged Work.

**Contractor's Sworn Certification**

By executing this Change Order for the Contractor below, the undersigned for the Contractor certifies as true, under penalty of perjury (under the laws of California, executed in Fresno, California), as follows:

This Change Order is made in good faith and in accordance with the terms of the Contract.

The amount of time and/or compensation requested accurately reflects the appropriate adjustments and includes all known and anticipated impacts or amounts that may be incurred as a result of the event or matter giving rise to such proposed change.

The Contractor has no reason to believe and does not believe that the factual basis for this Change Order is falsely represented.

The Contractor has investigated the basis for each Subcontractor claim and has determined that each such claim is justified as to entitlement and amount of money and/or time requested and has no reason to believe and does not believe that the factual basis for the Subcontractor's claim is falsely represented.

**Subcontractor's Sworn Certification(s):**

Attached as \_\_\_\_\_ [indicate "none" if no such Subcontractors are involved] are sworn certifications from each Subcontractor involved in the Work or event contemplated by this Change Order in the form above.

**Tutor Perini/Zachry/Parsons, a Joint Venture**

Acceptance by Signature	Ghassan Ariqat – Project Manager/Director	Date 01/10/2018
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**California High-Speed Rail Authority**

Submitted by Signature	David Vallejos - D-B Oversight Manager	Date 1/10/18
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Recommended by Signature	Steven Milton- Design & Construction Manager	Date 1/19/18
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Approval by Signature	Terry Ogle – Director of Design & Construction	Date 1/24/18
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